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THOMAS F. MCFARLAND

April 4, 2005

By fax to 202-565-9000

Ms. Crista L. Dean, Attorney Advisor
Office of Economics, Environmental
Analysis and Administration
Surface Transportation Board
1925 K Street, N.W., Suite 500
Washington, DC 20423

Re: Docket No. AB-812X, *Stockton Terminal and Eastern Railroad -- Abandonment
Exemption -- in San Joaquin County, CA*

Dear Ms. Dean:

In a telephone conversation today, Mr. Michael Finan, Office Chief, U.S. Army Corps of Engineers, 1325 J Street, Room 1444, Sacramento, CA 95814-2922, (916) 557-5324, stated to me that inasmuch as the abandonment proposed in the above proceeding would not affect any waterway, a permit for the abandonment is not required under Section 404 of the Clean Water Act. Mr. Finan also stated that the proposed abandonment would not affect designated wetlands or 100-year floodplains.

Very truly yours,

Tom McFarland

Thomas F. McFarland
Attorney for Stockton Terminal
and Eastern Railroad

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cc: Mr. Greg Carney, by fax to 209-466-1862
Mr. Peter Martin, by fax to 209-468-2999
Ms. Wendy Johnson, by fax to 209-468-2999